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Saskatchewan Firearms Act, Bill 117, Backdoored And Worthless

Scott Moe
@PremierScottMoe
The Saskatchewan Firearms Act will protect the rights of law-abiding gun owners in our province.
Yesterday, it passed second reading in the Legislature with the full support of both Saskatchewan Party and NDP MLAs.
Bill No. 117
Saskatchewan Firearms Act
passed second reading with unanimous support
Premier Scott Moe

BILL

No. 117

An Act respecting Saskatchewan Firearms

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BILLS
A Bill proposes to create a new law or amend an existing one. Members debate its content in the Assembly and in committee.
Stages of a Bill
All Bills introduced in the Assembly must go through the following stages to become law:
First Reading: The Bill is introduced and read for the first time. No debate occurs at this stage. Printed copies of the Bill are distributed for further consideration. The option exists to refer the Bill to a committee that will conduct public hearings on its content.
Second Reading: The Minister begins a debate of the Bill by outlining its purpose and its provisions. Other members join the debate by critiquing the principle of the Bill.
Related Links
Statutes of Saskatchewan
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Allocation of Business to Committees

Saskatchewan Premier, Scott Moe, is making a big deal out of Bill 117, the Saskatchewan Firearms Act. It was introduced last December and has now passed Second Reading, with N.D.P. support. This is hailed as a way to protect gun owners from Ottawa. But, are things as they appear to be?

Keep in mind, Moe is the same monster who brought lockdowns, business closures, mask mandates and vaccine passports to Saskatchewan. This was less than 2 years ago. Remember how he decided the time for patience was over? Remember how Discount Bond Villain wanted to make things “less comfortable” for the unvaccinated?

Is this the person we should trust with our freedoms?

Moe is trying to portray himself as a hero of the people, saying Saskatchewan will not help in any way to enforce the gun grab from the May 2020 Order In Council. The stated purpose of this new Firearms Act is to create a separate system from Ottawa, one that can’t be abused.

Of course, any legislation in Saskatchewan can be viewed online at any time. While not exhaustive, here are some of the major points to consider.

Read the full text to ensure nothing is taken out of context:

3-1 explains what this really is. Saskatchewan is essentially setting up an additional firearms license, just a Saskatchewan version. If a person: (a) has a valid PAL/RPAL; and (b) is a Saskatchewan resident, they are deemed to have a Provincial license.

3-2(1) states that a firearms license will be revoked upon conviction of a number of criminal offenses.

3-3 through 3-12 list activities that are prohibited such as unauthorized possession, use, pointing of a firearm, illicit transport, import or export. These are already Criminal Code violations, and illegal anyway.

3-16 outlines the penalties for Section 3 violations, which can be up to 6 months in jail, and fines of $5,000 (individual) and up to $20,000 (for a corporation).

3-17 and 3-18 get into “alternative measures” for violations, and this could be considered parallel to diversion programs offered in Criminal Court. Resolutions include paying fees and taking classes.

Section 4 covers seizure agents, and the requirements to become one. It also gets into the rules and responsibilities once a person becomes an agent. The fact that it’s so detailed can make one wonder how broadly Saskatchewan will be seizing residents’ firearms.

5-3 through 5-6 specify that guns which are seized for enforcing laws, “fair market value” is to be provided. Note: it doesn’t prevent guns from being seized, but just imposes some minimal level of compensation.

5-7(2) prevents residents from commencing any form of litigation against members of this Firearms Compensation Committee. It’s an indemnification clause.

5-8 makes *mandatory* forensic and ballistic testing for firearms that are seized for criminal history. It’s written as “forensic and ballistic”, suggesting that there may be several different tests that are performed.

5-9 provides the option of forensic and ballistic testing when weapons are seized for other reasons.

5-10 gives the firearm owner the results of any forensic and ballistic testing that has been performed. Nice to see a bit of transparency added in there.

5-11 delays the destruction or deactivation of any firearm until the owner has received notice under 5-10.

6-1 is a way to both limit the cooperation that local police officers or municipalities have with the Government of Canada, as well as accepting financing. Presumably, this is how the “defunding” aspect will work.

6-2(1) gives the Minister broad powers to authorize people to commence investigations to ensure the Act is complied with

6-2(2) defines the scope at which authorized persons may investigate others. And 6-2(2)(d) is rather vague, stating:

> (d) any property or assets of or things owned, acquired or alienated in whole or in part by the person being investigated or by any person acting on behalf of or as agent for the person being investigated.

6-2(3) states that the person(s) being investigated have to provide answers, meaning that this isn't optional.

6-4 gives the Provincial Courts explicit authority to issue search warrants.

6-5 makes it mandatory to generate copies of documents examined during investigation.

6-6(1) list the penalties for obstruction, which can be up to 6 months in jail, and fines of $5,000 (individual) and up to $20,000 (for a corporation).

And, in case you believe you've been wronged in some way….

> Immunity
> 6-7 ***No action or proceeding lies or shall be commenced against the Crown, the minister, the chief firearms officer, a firearms officer, the commissioner or any employee of the Crown*** if that person is acting pursuant to the authority of this Act or the regulations for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any responsibility imposed by this Act or the regulations.

All too common in most legislation is a provision to indemnify the institution, and any actors involved. How would one ever prove bad faith?

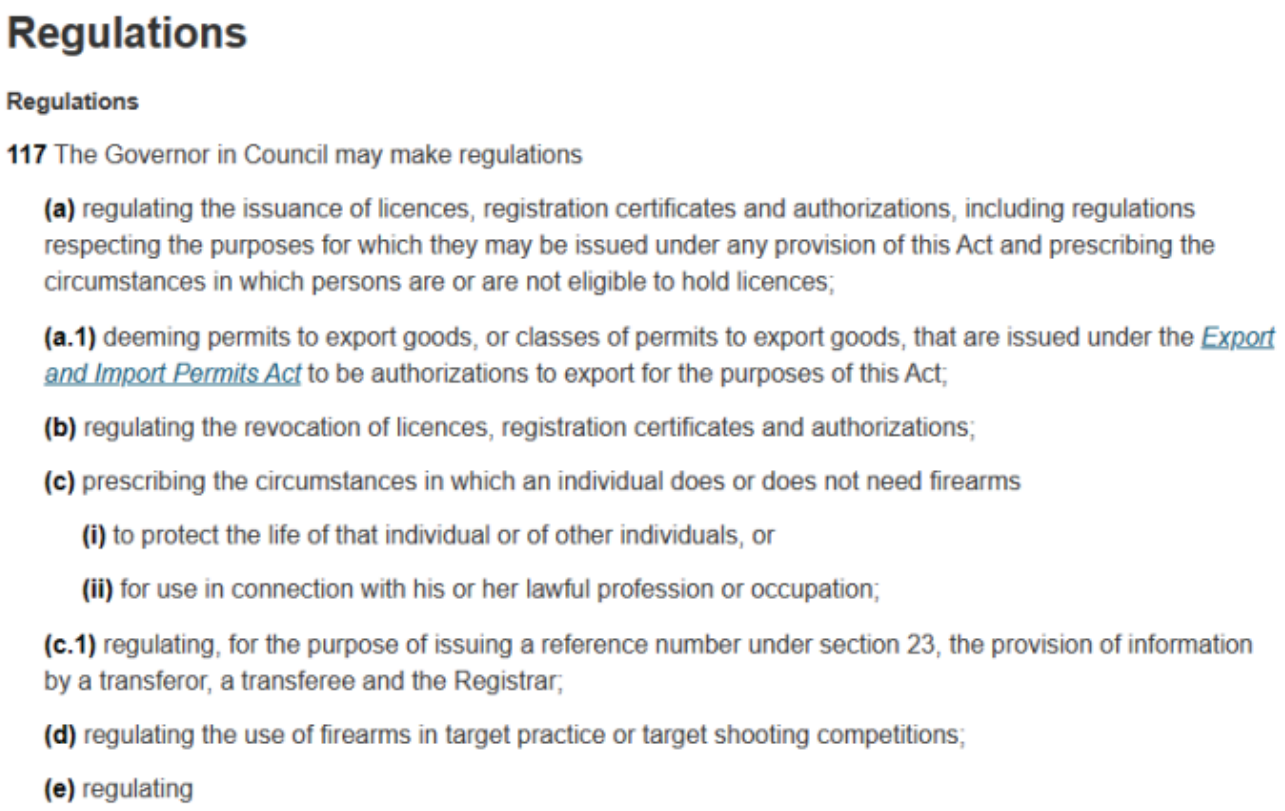
Now we get to the worst part:

> Regulations
> 6-8 The Lieutenant Governor in Council may make regulations:
> (a) ***defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act***;
> (b) exempting any person or class of persons from this Act or any provisions of this Act;
> (c) ***prescribing offences*** for the purposes of subsection 3-2(1);
> (d) prescribing persons or classes of persons for the purposes of subsection3-3(2);
> (e) prescribing the form of an order for the purposes of section 3-18;
> (f) for the purposes of section 4-1:
> (i) prescribing any law as a specified law; and

(ii) exempting any law as a specified law;
(g) excluding any person or class of person from the definition of a seizure agent for the purposes of subsection 4-1(2);
(h) for the purposes of Part 4:
(i) respecting the issuing, renewing, amending, ***suspending and cancelling of licences***;
(ii) ***respecting information to be provided to the minister by a licensee or an applicant for a licence***;
(iii) requiring the payment of fees for the issuance or renewal of licences and prescribing amounts and terms of payment;
(iv) prescribing a code of ethical conduct for persons licensed pursuant to that Part;
(v) prescribing any ***additional standards, qualifications and training required*** to obtain a licence;
(vi) ***respecting the keeping of records and data, including the protection of privacy***;
(vii) ***prescribing any new terms and conditions of a licence***;
(i) prescribing additional factors for the purposes of subsection 5-6(1);
(j) ***prescribing requirements for the forensic and ballistic testing of the firearm*** for the purposes of subsection 5-9(3);
(k) prescribing requirements for an approved testing facility for the purposes of section 5-12;
(l) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
(m) respecting ***any other matter or thing that the Lieutenant Governor in Council considers necessary*** to carry out the intent of this Act.

That last part, (m) means that virtually anything else can be changed as well. The importance of this cannot be understated.

This is what it means to be “backdoored”: virtually anything in the Saskatchewan Firearms Act can be changed by the Lieutenant Governor in Council, without democratic debate. This is very similar to Section 117 of the Canada Firearms Act



Regulations

Regulations

117 The Governor in Council may make regulations

(a) regulating the issuance of licences, registration certificates and authorizations, including regulations respecting the purposes for which they may be issued under any provision of this Act and prescribing the circumstances in which persons are or are not eligible to hold licences;

(a.1) deeming permits to export goods, or classes of permits to export goods, that are issued under the *Export and Import Permits Act* to be authorizations to export for the purposes of this Act;

(b) regulating the revocation of licences, registration certificates and authorizations;

(c) prescribing the circumstances in which an individual does or does not need firearms

(i) to protect the life of that individual or of other individuals, or

(ii) for use in connection with his or her lawful profession or occupation;

(c.1) regulating, for the purpose of issuing a reference number under section 23, the provision of information by a transferor, a transferee and the Registrar;

(d) regulating the use of firearms in target practice or target shooting competitions;

(e) regulating

As per the earlier comment, it's interesting (or perhaps a coincidence), that it's Saskatchewan Bill 117. This is because Section 117 of the Federal version is what allows the Governor in Council to make unilateral changes.

Regarding Section 68(h)(vi), and the phrase: "respecting the keeping of records and data, including the protection of privacy", one can't help but wonder if this could be the basis of a backdoor gun registry.

If there is something positive in Bill 117, it seems that at least gun owners would need to be paid fair price for their weapons once they're confiscated.

(1) https://twitter.com/PremierScottMoe/status/1643423488168931330
(2) https://www.legassembly.sk.ca/
(3) https://www.legassembly.sk.ca/legislative-business/bills/
(4) https://www.legassembly.sk.ca/media/1398/progress-of-bills.pdf
(5) Saskatchewan Legislature Progress Of Bills
(6) Saskatchewan Firearms Act 2022
(7) https://orders-in-council.canada.ca/attachment.php?attach=39208&lang=en
(8) https://canucklaw.ca/canada-firearms-act-and-other-backdoored-legislation/
(9) https://www.laws-lois.justice.gc.ca/eng/acts/f-11.6/FullText.html

CANADA, CANADIAN BILLS, GUN RIGHTS, DISARMAMENT, PRIVACY, PROPERTY RIGHTS